

In re Application of

Pecorari, et al.

Serial No.:

10/529,888

Group Art Unit:

Not Yet Assigned

Filing Date:

April 1, 2005

Examiner:

Unknown

For:

HIGH EFFICIENCY HYDRAULIC MACHINE WITH RADIAL CYLINDERS

Honorable Commissioner for Patents Alexandria, Virginia 22313-1450

## ASSERTION OF RIGHT TO SMALL ENTITY STATUS AND REQUEST FOR REFUND OF FEES

Sir:

Comes now Applicant and hereby asserts that Applicant is entitled to small entity status. In addition, Applicant notes that an Application filing fee of \$1,130.00 was paid, but because Applicant is a small entity, the correct Application filing fee was \$565.00. Applicant therefore, requests a refund in the amount of \$565.00 to the Attorney's Deposit Account No. 50-0481.

Please charge any deficiencies in fees and credit any overpayment of fees of Attorney's Deposit Account No. 50-0481.

Date:  $7/1/0^{\epsilon}$ 

Respectfully Submitted,

Phillip E. Miller, Esq. Registration No. 46,060

McGinn & Gibb, PLLC 8321 Old Courthouse Road, Suite 200 Vienna, VA 22182-3817 (703) 761-4100 Customer No. 21254